

### REMARKS

Applicants have carefully reviewed this application in light of the Office Action mailed September 16, 2003. Claims 1-23, 25-39, 41-48, and 50-53 are pending in this application. Claims 1-23, 25-39, 41-48, and 50-53 were rejected. Applicants hereby amend Claim 25 to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

#### Rejections under 35 U.S.C. §102

Claims 39 and 48 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipate by U.S. Patent 6,497,368 issued to Steven D. Friend et al. ("Friend et al."). Applicants respectfully traverse and submit that Claims 39 and 48 are patentable over Friend et al.

Friend et al. discloses a "portable data collection system employing a portable data terminal having increased functionality." (Abstract)

Applicants' amended Claim 39 calls for various features including "a modular bay having a removable-card connector, the modular bay operable to provide a housing for a removable card."

Applicants' amended Claim 48 recites a method having including "installing a removable-card connector in a modular bay such that the removable-card connector is electrically coupled to a computer system."

Friend et al. cannot anticipate Claims 39 or 48 because Friend et al. fails to teach, disclose or suggest all elements recited by Claims 39 or 48. For instance, Friend et al. fails to teach, disclose or suggest "a modular bay having a removable-card connector, the modular bay operable to provide a housing for a removable card" as recited by Claim 39. Further, Friend et al. fails to teach, disclose or suggest a method of "installing a removable-card connector in a modular bay such that the removable-card connector is electrically coupled to a computer system" as recited by Claim 48.

More specifically, Friend et al. does not teach, disclose or suggest a modular bay. The Examiner has indicated that Friend et al. discloses a bay, generally indicated at 160 in Figure 3, which anticipates the modular bay of Applicants' disclosure. In fact, the bay (160) of Friend et al. forms part of a portable data collection terminal, generally indicated at 110,

and is not modular. Therefore, Applicants respectfully submit that Claims 39 and 48 are not anticipated by Friend et al.

Rejections under 35 U.S.C. § 103(a)

Claims 41-44 and 50-53 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Friend et al. in view of “Mini PCI Specification” (hereinafter the “Specification”). Applicants respectfully traverse and submit that Claims 41-44 and 50-53 are patentable over Friend et al. in view of the Specification.

Claims 41-44 directly or indirectly depend from and provide further patentable limitations to independent Claim 39. Claims 50-53 directly or indirectly depend from and provide further patentable limitations to independent Claim 48. Because Claims 39 and 48 are deemed allowable, Claims 41-44 and 50-53 are allowable. Therefore, Applicants respectfully request the reconsideration and withdrawal of the rejection and allowance of Claims 41-44 and 50-53.

Claims 1-4, 6-18, 20-23, 24, 25-30, 32-38, 39, 41-48, and 50-53 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over the Specification in view of U.S. Patent 5,737,582 issued to Tomoya Fukuzumi (hereinafter “Fukuzumi”). Applicants respectfully traverse and submit that Claims 1-4, 6-18, 20-23, 25-30, 32-38, 41-48, and 50-53 are patentable over the Specification in view of Fukuzumi.

Specification, specifically section 5-6 through 5-12, discloses various mechanical designs, or form factors, for attaching Type 1A, 1B, IIA, IIB, IIIA, IIIB, and III PCB cards to a host system.

Fukuzumi discloses “an IC card and an IC card system that enable a variety of functions to be added to the IC card” vis-a-vis individual key cards. The individual key cards are “detachable from the main body of an IC card” such that addition of a different individual key card changes the function of the IC card.

Applicants' Claim 1 calls for various features including "a mini-Peripheral Component Interconnect card, which defines the functionality of the modular bay enclosure, to a computer system."

Applicants' Claim 13 recites a computer system comprising, among other features, "a mini-Peripheral Component Interconnect connector operable to receive a mini-Peripheral Component Interconnect card that defines the functionality for a modular bay enclosure."

Applicants' Claim 27 recites a method including "attaching a mini-Peripheral Component Interconnect card to the mini-Peripheral Component Interconnect connector to allow a user to access the mini-Peripheral Component Interconnect card via the computer system such that the mini-Peripheral Component Interconnect card defines the functionality of the modular bay enclosure."

Applicants' Claim 39 calls for various features including "a removable card electrically coupled to the removable-card connector such that the removable card defines a functionality of the system."

Applicants' Claim 48 recites a method including "installing a removable card into the modular bay, such that the removable card is electrically coupled to the removable-card connector and the removable card defines the functionality of the modular bay, wherein the modular bay provides a housing for the removable card."

Neither Specification nor Fukuzumi make obvious Claims 1-4, 6-18, 20-30, 32-39, 41-48, and 50-53, as amended, of Applicants' invention because there is no motivation to combine Specification with Fukuzumi. For instance, even if Specification and Fukuzumi were to be combined, the combination would not disclose or suggest a "mini-Peripheral Component Interconnect (PCI) card, which defines the functionality of the modular bay enclosure, to a computer system" as recited by Claim 1. Additionally, neither Specification nor Fukuzumi disclose, teach or suggest "a mini-Peripheral Component Interconnect connector operable to receive a mini-Peripheral Component Interconnect card that defines the functionality for a modular bay enclosure," as recited by Claim 13.

Neither Specification nor Fukuzumi disclose, teach or suggest a method including "attaching a mini-Peripheral Component Interconnect card to the mini-Peripheral Component Interconnect connector to allow a user to access the mini-Peripheral Component Interconnect card via the computer system such that the mini-Peripheral Component Interconnect card

defines the functionality of the modular bay enclosure," as recited by Claim 27. Neither Specification nor Fukuzumi disclose, teach or suggest "a removable card electrically coupled to the removable-card connector such that the removable card defines a functionality of the system," as recited by Claim 39. Finally, neither Specification nor Fukuzumi disclose, teach or suggest a method including "installing a removable card into the modular bay, such that the removable card is electrically coupled to the removable-card connector and the removable card defines the functionality of the modular bay, wherein the modular bay provides a housing for the removable card," as recited by Claim 48.

In fact, neither specification nor Fukuzumi disclose a "modular bay enclosure" in combination with a mini-PCI card to **define** the functionality of the modular bay enclosure. Applicants' traverse the examiner's statement that "adding functionality would means defining a functionality of the bay enclosure." (see Paper No. 18, page 8) In fact, the modular bay enclosure of Applicants' disclosure receives its functionality from the mini-PCI card. The modular bay enclosure of Applicants' disclosure merely provides connectivity for the mini-PCI card. As such, the mini-PCI card defines the functionality of the modular bay enclosure.

The IC card of Fukuzumi includes a functionality or function portion (see col. 1, lns. 28-29; col. 9, lns. 10-12; col. 10, lns. 10). And, the individual key card of Fukuzumi, which may or may not be added to the IC card, (see col. 9, lns. 22-26; col. 10, 11-12) serves to "allow a user to easily add or change a portion of the function of the IC card" (see col. 2, lns. 6-7). In contrast, the Specification discloses mini-PCI cards that are similar to standard PCI expansion cards but designed to different form factors. Applicants submit that neither Specification nor Fukuzumi alone or in combination suggest Applicants' invention. Therefore, Applicants assert that neither Specification nor Fukuzumi, alone or in combination, makes obvious Applicants' disclosure.

Additionally, the Examiner stated that the IC card of Fukuzumi is "a modular IC card." (See Paper No. 18, page 4) Applicants traverse this description of the IC card. Applicants submit that Fukuzumi fails to disclose a "modular" IC card. Applicants regard this comparison as improper hindsight. Thus, Applicants assert that Fukuzumi in view of Specification cannot make obvious any claim of Applicants' disclosure.

The examiner stated that the Applicants' admitted, "on page 13, that Fukuzumi's key cards as equivalent to mini-PCI cards add to the functionality of the main body of an IC card as being equivalent to a bay enclosure." Applicants are confused to the Examiner's statement. In fact, as previously stated Applicants regard Fukuzumi's key cards as serving to "add or change a portion of the function of the IC card." (see col. 2, lns. 6-7) Thus, the IC card of Fukuzumi include a function which by way of the key card is added to or changed by the addition or removal of the key card. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw the rejection to and allow Claims 1, 13, 27, 39, and 48.

Claims 2-4 and 6-12 depend from and provide further patentable limitations to amended Claim 1. Claims 14-18 and 20-26, as amended, depend from and provide further patentable limitations to amended Claim 13. Claims 28-30 and 32-38 depend from and provide further patentable limitations to amended Claim 27. Claims 41-47 depend from and provide further patentable limitations to amended Claim 39. Claims 50-53 depend from and provide further patentable limitations to amended Claim 48. Because 1, 13, 27, 39, and 48, as amended, are deemed allowable, Claims 2-4, 6-12, 14-18, 20-26, 28-30, 32-38, 41-47 and 50-53, as amended, are allowable. Therefore, Applicants respectfully request the Examiner to reexamine, reconsider, withdraw the rejection to and allow Claims 1-4, 6-18, 20-30, 32-38, 41-48, and 50-53, as amended.

Claims 5, 19, and 31 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Specification in view of Fukuzumi, and further in view of U.S. Patent 6,067,583 issued to Timothy G. Gilbert (hereinafter "Gilbert"). Applicants respectfully traverse and submit that Claims 5, 19 and 31 are patentable over the Specification in view of Fukuzumi and further in view of Gilbert.

Claim 5 depends from and provides further patentable limitations to independent Claim 1. Claim 19 depends from and provides further patentable limitations to independent Claim 13. Claim 31 depends from and provides further patentable limitations to independent Claim 27. Because Claims 1, 13 and 31 are deemed allowable, Claims 5, 19 and 27 are allowable. Therefore, Applicants respectfully request the reconsideration and withdrawal of the rejection and allowance of Claims 5, 19 and 31.

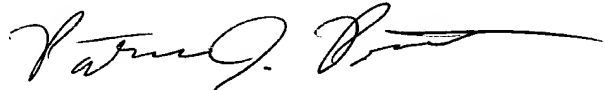
### CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the rejections and allowance of Claims 1-23, 25-39, 41-48, and 50-53, as amended.

Applicants do not believe any fee is due, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0383 of Baker Botts L.L.P. in order to effectuate this filing.

Respectfully submitted,

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